

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF OHIO**

IN RE: Jeffrey & Patricia Corbin	)	CASE NO. 18-42232
	)	
Debtors	)	JUDGE RUSS KENDIG
	)	
	)	CHAPTER 13
	)	
	)	<u>OBJECTION TO CLAIM OF</u>
	)	<u>CAPITAL ONE AUTO FINANCE,</u>
	)	<u>CLAIM #2 FILED 11-09-18</u>

**FACTS**

COME NOW, Jeffrey & Patricia Corbin, (the "DEBTORS"), who for their objection to the claim filed by Capital One Auto Finance state the following:

1. Debtors filed for protection under Chapter 13 of Title 11 of the U.S. Code on November 2, 2018;
2. Capital One Auto Finance filed claim #2 on November 9, 2018 for participation in the payment of the plan in the sum of \$10,398.88, secured, plus 10.910% interest.

**BASIS FOR OBJECTION**

Debtors object to the claim for the reason that the debt is being paid outside the plan by the non-filing co-debtor as provided for in the amended plan.

**RELIEF REQUESTED**

WHEREFORE, Debtors respectfully ask that the claim of Capital One Auto Finance in the amount of \$10,398.88, secured, plus 10.910% interest not be paid as filed; instead, Debtors respectfully ask that this Court issue an Order instructing the Trustee not to pay the claim.

Respectfully submitted,

**ROBERT A. CIOTOLA CO., L.P.A.**

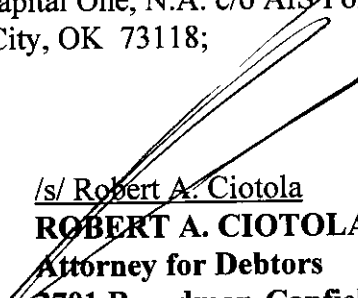
/s/ Robert A. Ciotola  
**ROBERT A. CIOTOLA (#0012487)**  
**Attorney for Debtors**  
**3701 Boardman-Canfield Road**  
**Unit 1**  
**Canfield, OH 44406**  
**(330) 533-8885**

**CERTIFICATE OF SERVICE**

I certify that on January 14, 2019, a true and correct copy of the foregoing Objection was served:

Via the Court's Electronic Case Filing System on the U.S. Trustee, and these entities and individuals who are listed on the Court's Electronic Mail Notice List:  
Michael A. Gallo, on behalf of the Chapter 13 Trustee's office at mgallo@trustee.com, mgallo@ecf.spiqsystems.com;

And by regular U.S. mail, postage paid, on:  
Jeffrey & Patricia Corbin, 1621 Lincoln Ave., Wellsville, OH 43968;  
Capital One Auto Finance, a division of Capital One, N.A. c/o AIS Portfolio Services, LP, 4515 N. Santa Fe Ave., Dept. APS, Oklahoma City, OK 73118;

  
/s/ Robert A. Ciotola  
**ROBERT A. CIOTOLA**  
**Attorney for Debtors**  
**3701 Boardman-Canfield Road**  
**Unit 1**  
**Canfield, OH 44406**  
**(330) 533-8885**  
**rac@raciotola.com**